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Date August 19, 2004 **Pages including cover 6**

Subject Response to Restriction

Re: Application of Vincent C. KNICK et al.
U.S. Serial No.: 10/031,355; Filed: January 18, 2002
Title: *Combination of an Anti-EP-CAM Antibody with a
Chemotherapeutic Agent*
Attorney Docket No. PU3513USw

Attached:

1. Transmittal Form with a Certificate of Transmission (37 CFR 1.8(a))
2. Petition and Fee for Extension of Time (in duplicate)
3. Response to Restriction (2 pages)

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TRANSMITTAL
FORM

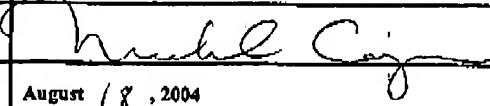
(to be used for all correspondence after initial filing)

		Application Number	10/031,355
		Filing Date	January 18, 2002
		First Named Inventor	Vincent C. KNICK
		Art Unit	1642
		Examiner Name	Huff, Sheila J.
Total Number of Pages in This Submission		Attorney Docket Number	PU3513USw

ENCLOSURES (check all that apply)

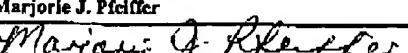
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Michael M. Conger Registration No. 43,562 Telephone: (919) 483-2474
Signature	
Date	August 18, 2004

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the

Typed or printed name	Marjorie J. Pfleiffer
Signature	
Date	August 19, 2004

This collection of information is required by 37 CFR 1.6. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Atty. Docket No.: PU3513USw

NO. 4675 P. 5

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Vincent C. Knick et al.

Serial No.: 10/031,355

Filing Date: January 18, 2002

Examiner: Huff, Sheela J.

Art Unit: 1642

For: *Combination of an Anti-EP-Cam
Antibody with a Chemotheapeutic
Agent*

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION

Sir:

This paper is submitted in response to the Office Action mailed May 19, 2004 (Paper No./Mail Date 051804) for which a one month shortened statutory period to respond was set. Accordingly, a Petition and Fee for a two-month Extension of Time is submitted herewith, extending the period of time for response to August 19, 2004. The Commissioner is hereby authorized to charge such fees to Deposit Account No. 07-1392. Early examination of the application on the merits is earnestly solicited.

REMARKS

Claims 1-15 are pending in this application. The Examiner has required restriction to one of four (4) groups. In response to such restriction Applicants wish to proceed as follows.

Applicants elect without traverse Group I drawn to a combination of anti-Ep CAM antibody and a chemotherapeutic agent, claims 1-9, for proceeding with prosecution on the merits.

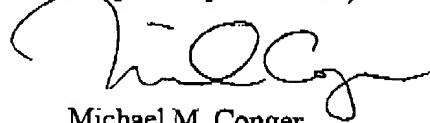
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Atty. Docket No.: PU3513USw
10/031,355

Applicants believe that no fees are due in connection with the filing of this paper other than those specifically authorized herewith. However, should any other fees be deemed necessary to effect the timely filing of this paper the Commissioner is hereby authorized to charge such fees to Deposit Account No. 07-1392.

Respectfully submitted,



Michael M. Conger
Attorney for Applicants
Registration No. 43,562

Date: August 18, 2004
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